

## STATE BOARD OF COMMUNITY COLLEGES

### Policy Committee

#### Scope of Study for the Admission of Undocumented Students

**Request:**

The State Board is asked to approve a “Scope of Study for the Admission of Undocumented Students” into the North Carolina Community College System.

**Scope of Study:**

The following is a DRAFT “Scope of Study”:

#### **1. INTRODUCTION**

The North Carolina State Board of Community Colleges (State Board) seeks to contract with a qualified consultant to conduct an in-depth study of the issues surrounding the admission of undocumented students into North Carolina Community College System (NCCCS) curriculum programs.

#### **2. BACKGROUND**

On August 15, 2008, the State Board approved a motion to continue to ban the admission of undocumented students to NCCCS curriculum programs while the long-term policy is being examined. The State Board has determined that a comprehensive overview of events to date and additional information on practices and policies in other states is needed to assist in the development of such a policy.

#### **3. SCOPE OF WORK**

- i) Assemble a compendium of the history of admission of undocumented students to NCCCS curriculum programs. This history shall include relevant contextual information regarding any developments in federal and state law regarding undocumented immigrants and any right they may have to access publicly supported services and post-secondary educational institutions. The consultant shall establish a timeline of relevant events, including, but not limited to:

- Legal opinions rendered by the NC Attorney General’s Office,
- Directives issued by the NC Community College System Office (System Office),
- Letters from federal agencies,
- Actions taken by the State Board, and
- Resolutions passed by local college Boards of Trustees.

An appendix shall include copies of any formal communications or other documentation related to these events.

- ii) Review and evaluate the findings of the report on the admission of undocumented students that was completed by students from the Sanford Institute of Public Policy at Duke University during the 2005-06 school year. The consultant shall also incorporate the date this report was submitted to the NCCCS in the timeline required under 3(i) above.
- iii) Outline the policy of the University of North Carolina System on the admission of undocumented students. Discuss the procedural implications of adopting a similar policy within the NCCCS.
- iv) Conduct a survey and analysis of policies for admission and pending or ratified legislation of undocumented students in public institutions of higher education in the following states: Arizona, California, Colorado, Florida, Georgia, Illinois, New Mexico, New York, South Carolina, Texas, and Virginia. Information gathered through the survey shall answer the following questions for each state:
- Whether or not undocumented students are admitted to curriculum programs of public institutions of higher education?
  - How these educational institutions define undocumented or illegal students, if defined at all?
  - What governing authority (i.e. legislature, statewide governance board, board of local institution) determined the admissions policy?
  - If undocumented students are eligible for admission, are there any additional criteria or conditions that they must meet in order to qualify?
  - Do undocumented students pay in-state or out-of-state tuition rates?
  - What type of verification processes and systems are used – student self-identification, national e-verification system (such as the Systematic Alien Verification for Entitlements (SAVE) system), customized verification system, etc.? What are the estimated direct and indirect costs of verification?
  - What types of documentation must students provide to establish immigration status?
  - What specific standards does that institution use to determine whether a student is “lawfully present”?
  - If verification processes fail, what sanctions are incurred? Who imposes the sanction? Which person or entity is held responsible if sanctions are imposed?
  - Are campuses subject to any reporting requirements? If so, what information is required and to whom are the reports submitted?

Data for each state shall be summarized in a matrix-style table. Additionally, an appendix shall include a detailed summary for each state as well as the text of any pending or ratified legislation or adopted policies. Sample verification forms and

other documents used in the verification process shall also be included. The consultant's analysis should identify trends among states and discuss the positive and negative aspects of particular policies.

- v) Calculate the estimated amount of State and local resources required to support an undocumented student enrolled full-time in a North Carolina Community College curriculum program, taking into account the amount of tuition paid by the student. Since the level of local resources varies by college, the consultant shall estimate the local cost for each college individually.
- vi) Based on the information and analysis conducted under 3(i) – 3(iv), identify the key policy issues that the State Board should consider when developing a long-term policy on the admission of undocumented students. Further, to recommend specific standards that the State Board should use in determining who is lawfully present. Finally, the consultant should suggest a definition of undocumented or illegal student. For each issue, the consultant shall outline policy options and the full implications of all options. The implications of the policy options shall include an estimate of the fiscal impact, both upon the state and students, as it relates to implementation including verification.
- vii) Submit the following deliverables:
  - Oral presentation of preliminary findings to the State Board on February 19, 2009.
  - Final written report to the State Board by March 19, 2009.

### **Method of Procurement**

Proposals will be solicited through the State's Division of Purchase and Contract. The proposals will be received and evaluated by the System Office. A qualified consultant will be recommended to the State Board at the October 2008 meeting.

### **Contact Persons:**

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